

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention passed by the Collector & District Magistrate, Chittoor District, against Sri Salari Patteda Subramanyam @ Nagari Subramanyam Reddy @ Echambedu Subramanyam Reddy, S/o.Balaram @ Balaramaiah @ E. Kodanda Reddy, aged 34 years, R/o. 2/450,Padmavathi Nagar, Near Saibaba Temple, Puttur Mandal, Chittoor District and now residing in Plot No.1, Krishna Reddy Apartments, Near Vinayaka Temple, Thummalagunta, Tirupati – Representation – Rejected.

GENERAL ADMINISTRATION (LAW AND ORDER.II) DEPARTMENT

G.O.Rt.No. 5837

Dated:27.12.2012

Read the following:-

1. Order of detention in Roc.No.C2/13772/09, dt. 25-1-2010 of the Collector & District MagistrateChittoor.
2. G.O.Rt.No.540, G.A. (L&O-II) Dept., dt.4-2-2010.
- 3 G.O.Rt.No.5503,G.A. (L&O-II) Dept.,dt.3-12-2012.
- 4.Representation of Sri Salai Patteda Subramanyam @ Nagari Subramanyam Reddy @ Echambedu Subramanyam Reddy, S/o.Balaram @ Balaramaiah @ E. Kodanda Reddy of Chittoor District,dt. 17-11-2012.

ORDER:

In the reference first read above, the Collector & District Magistrate, Chittoor District, has passed detention order against Sri Salari Patteda Subramanyam @ Nagari Subramanyam Reddy @ Echambedu Subramanyam Reddy, S/o.Balaram @Balaramaiah @ E. Kodanda Reddy , under Act No.1 of 1986, as he had been repeatedly indulged in the activities of illicit cutting, storing, transportation of Red Sanders heartwood from the reserve forest and transporting / smuggling the same, thereby causing damage to the public property and great loss to the Nation. In the G.Os. second and third read above, Government have approved and confirmed the said order of detention, passed by the detaining authority, duly following the procedure laid down under the provisions of Act 1 of 1986.

2. In the reference 4th read above, the applicant has made a representation to the Government, contending inter-alia that the detaining authority passed the detention order in a highly mechanical fashion, without application of mind and basing upon vague, irrelevant grounds; that the detention order do not specifically mention that he was indulging in dangerous activities and that the said order was passed on non-existing grounds; that his father's name is not Balaram as mentioned in the detention order and that his father's name is Kodanda Reddy; and that the details mentioned in the detention order are not that of him; that there is abnormal and unexplained delay in implementing the detention order and that delay was not explained by the detaining authority and that the entire order of detention refer to violation of penal statutory provisions under the Forest Act pertaining to committing of theft of red sanders which would not affect the public order and that the order of detention was passed against him due to political rivalry in the Mandal and requested to release him.

3. The representation of the detenu has been examined by the Govt., in detail and it is observed that that the detaining authority having considered the involvement of the detenu repeatedly in series of cases referred in the grounds of detention, has passed the detention order against the detenu; the detenu has not disputed the number of cases and the nature of offences involved by him; that in all the cases mentioned in the grounds of detention were booked against him under section 378 and 379 of I.P.C.(Theft of National Property) besides various Forest Laws and the offences punishable under Chapter XVII of IPC, and hence his activities fall under and with in the meaning of "goonda" as defined under section 2(g) of Act 1 of 1986; the detaining authority, having satisfied that the petitioner is habitually committing the said offences in an organized mafia manner and all his activities are dangerous to forest wealth and prejudicial to maintenance of public order has passed the order of detention; the grounds of detention accompanied by detention order clearly shows the father's name of the petitioner as Balaram

(PTO)

@ Balaramaiah @ E. Kodanda Reddy, therefore it cannot be said that the details mentioned in the detention order are not that of him; that whatever delay occurred in execution of the detention order is only on account of the refractory or recalcitrant conduct of the detenu, but not due to inaction on the part of detaining authority, as contended by the petitioner; when the detenu is evading execution of detention, the detaining authority is justified in initiating coercive steps against him to secure his appearance under the provisions of sec. 7 of Act 1 of 1986, hence no delay can be attributed to the detaining authority. The petitioner has not filed any documentary evidence in support of his contention that he was falsely implicated in the crimes registered against him, due to political rivalry in the Mandal. Further, the subsequent arrest of the petitioner on 2-11-2012 in Cr.No.127/2012 red handedly, while smuggling the red sanders illegally, despite the fact that the detention order passed against him for indulging repeatedly in the similar offences is pending execution, shows that the detenu is a habitual offender and no mercy can be shown to such person, and all his activities are dangerous to forest wealth and prejudicial to the maintenance of public order. The applicant did not putforth any valid new grounds to differ with the earlier decision. It is therefore considered that the representation of the detenu merits no consideration and liable for rejection.

4. Accordingly, Government hereby reject the representation of Sri Salari Patteda Subramanyam @ Nagari Subramanyam Reddy @ Echambedu Subramanyam Reddy, S/o.Balaram @ Balaramaiah @ E. Kodanda Reddy of Chittoor District, for revocation of his detention.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MINNIE MATHEW
CHIEF SECRETARY TO GOVERNMENT

To

Sri Salari Patteda Subramanyam, @ Nagari Subramanyam @ E. Subramanyam REdD, S/o. Balaram @ Kodanda Reddy, R/o 2/450 Padmavathi Nagar, Near Saibaba Temple, Puttur Mandal, Chittoor District **through** the Superintendent, Central Prison, Cherlapalli, R.R. District.

Copy to-

The Superintendent, Central Prison, Cherlapalli, Ranga Reddy District

(with instructions to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to him and report compliance to Government.

The Collector & District Magistrate, Chittoor District.

The Divisional Forest Officer, wild Life Division, Chittoor, Chittoor District.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)